

Board of County Commissioners
Leon County, Florida

**Continuation of The Workshop on
Leon County Community Centers**

12:00 PM – 1:30 PM
Tuesday, December 13, 2005

Leon County Board of County Commissioners Chambers
Leon County Courthouse, 5th Floor

This document distributed: December 8, 2005

Board of County Commissioners Workshop

Date of Meeting: December 13, 2005

Date Submitted: December 8, 2005

To: Honorable Chairman and Members of the Board

From: Parwez Alam, County Administrator

Tony Park, P.E., Director Public Works

Subject: Continuation of Workshop on Leon County Community Centers and the Associated Policies and Fees

Statement of Issue:

This workshop is a continuation of the November 22, 2005 workshop for the proposed policies associated with the County's Division of Parks & Recreation operation of Community Centers and other facilities (Attachment #1).

Background:

Historically, Leon County has administered and managed its four community centers through appointed Community Center Boards. Each board was responsible for setting its own policies and fees and for scheduling events. [Existing Policy No 02-6 "County Community Service Facilities" is hereby repealed and superseded, and a new policy is requested to be adopted (Attachment #2).] The maintenance of the centers was divided between the division of Parks & Recreation and Facilities Management.

At the July 12, 2005 meeting, the Board decided to bring the existing centers and future centers under the Division of Parks & Recreation and to change the Community Center Boards to Community Center Focus Groups. The Board further requested that the Division of Parks & Recreation set up policies and procedures that would be the same for each center and establish a fee schedule. At the August 30, 2005 meeting, the Board scheduled a workshop for the purpose of reviewing the proposed policies, procedures, and fees.

At the November 22, 2005 workshop the Board of County Commissioners directed staff to meet with Commissioner Sauls to address the concerns and changes requested by the BOCC. This meeting was held on November 30, 2005. The attached document reflects the results of that meeting.

Analysis:

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Staff has revised the policy as shown on the attached document. Underlined items have been added and those struck thru are to be removed. The following are key points in the revised proposed policy:

- Item 1.1, staff added the language from the original policy to the new policy.
- Item 4.1, the time was changed from 90 days to 30 days for submitting a permit request.
- Item 5.9, all fees will be set by BOCC resolution.
- Item 7.8, this was changed back to the language of the original policy.
- Item 8, the insurance requirement was removed from the policy.
- Fees – The fee schedule has been removed from this workshop and will be handled under a separate Agenda item. Staff will be meeting with the different Community Center Groups to get their recommendations on the fees. These recommendations will then be brought back to the BOCC for its approval.
- Fees – Due to the different sizes of the rooms at each location, a standard charge at all locations is not recommended.

In addition to these policy revisions, it should also be noted that during the November 22, 2005 workshop, the Board determined that the Bradfordville School House should not be considered a Community Center available for rental.

Options:

1. Approve the Use and Scheduling of Parks & Recreation Facilities Policy.
2. Approve Repeal of Policy No. 02-6 "County Community Service Facilities".
3. Do not approve the Use and Scheduling of Parks & Recreation Facilities Policy.
4. Do not approve the Repeal of Policy No. 02-6.
5. Board Direction.

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Recommendation:

Options #1 and #2.

Attachments:

1. Use and Scheduling of Parks & Recreation Facility Policy
2. Policy No. 02-6 "County Community Service Facilities"

PA/TP/PP/pp

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Attachment # 1
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Policy No. 06-

Title: Use and Scheduling of Parks & Recreation Facilities

Date Adopted: January 10, 2006

Effective Date: January 10, 2006

Reference: N/A

Policy Superseded: Policy No. 79-8, "County Community Service Facility," adopted September 25, 1979; Policy No. 92-10 amended 10/27/92; Policy No. 94-3, amended April 26, 1994; and Policy No. 02-6, "County Community Service Facilities," adopted July 9, 2002

It shall be the Policy of the Board of County Commissioners of Leon County, Florida that:

Policy No. 02-6, adopted July 9, 2002, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

1. Purpose

- 1.1 The purpose of this policy is to assure that the Parks & Recreation Division facilities are utilized for the recreational, athletic, cultural, educational, social, civic, fraternal, governmental, religious, political, charitable, and community service functions that meet the needs and interests of the community, as well as set clear policies, procedures, and rental fees regarding such uses.
- 1.2 Exclusive use of any ~~resource~~ facility requires an advance reservation and is subject to rental fees, ~~damage~~ security deposits, and staffing fees (Set Up & Take Down).

2. Authority

- 2.1 The Division of Parks & Recreation is responsible for developing, communicating, and monitoring policies, procedures, and standards for the use and scheduling of Parks & Recreation facilities.

3. Facilities Available

- 3.1 The Parks & Recreation Division makes available for rent buildings, rooms, community centers, picnic shelters, camp sites, and ball athletic fields. Times and dates available are at the discretion of the division.

4. Reservations

- 4.1 Reservations shall be made no more than 365 days and no less than seven (7) calendar days prior to the date(s) of use. Reservations are guaranteed after all necessary forms and payments are received and approved at the Parks & Recreation Division administrative office located at 2280 Miccosukee Road, Tallahassee, FL 32308.

Group activities or special events that involve 50+ people attending or participating may require a permit from the Division of Parks & Recreation for use of any park or recreation facility or site. Such permit should be submitted by the applicant no later than 90 30 days prior to the event.

- 4.2 All applicants must be at least 18 years of age or older and must provide proof of residency for priority consideration.
- 4.3 The Parks and Recreation Division reserve the right to set aside certain dates for functions sponsored in part or by Leon County.

5. Fees

- 5.1 Full rental fees, security deposits, staffing fees, and permit applications are due at the time of the reservation.
- 5.2 Payment by check, cash, credit card, or money order is required for the building and staff fees.
- 5.3 A security deposit shall be required for any damage/clean-up expense. The deposit will be returned if no damage occurs and the facility is clean after use. The Parks & Recreation Division reserves the right to bill the applicant for additional expenses relating to, but not limited to, janitorial services, maintenance/repair services, staff time, or emergency services that were required as a result of the use.
- 5.4 Checks or money orders must be made payable to the Leon County Board of County Commissioners.

- 5.5 Applicants shall forfeit the rental opportunity if the checks are not honored by the bank. Any future requests will require fees paid by cash or money order only. Applicant will be responsible for bank service fee.
- 5.6 The Parks & Recreation Division may require additional staff for rentals where attendance is expected to exceed 50 people. An off duty sheriff deputy/deputies may also be required at the applicants expense.
- 5.7 The Parks & Recreation Division may require two division representatives for any teen event if the attendance exceeds 50 people. If attendance is greater than 50 people the applicant must hire one (1) off duty Leon County Sheriff deputy for each additional 50 people. The applicant must provide adequate adult supervision at all times (see 7.145). All teen events that occur after 6:00 P.M. ~~will~~ may require a deputy.
- 5.8 Request for a waiver of the user fee for non-profit organizations that would like to partner with Leon County must be made in writing at the time of rental request. Included in the request shall be the purpose of the rental activities to be conducted as well as a brief description of the organization, purpose, goals, and pertinent information including the 501 (c) (3) determination letters from the IRS along with the Department of Revenue Consumers Certificate of Exemption.
- Request for a waiver by groups providing education opportunities for citizens and those providing programs for county senior citizens, must be made in writing at the time of rental request. Included in the request shall be the purpose of the rental activities to be conducted as well as a brief description of the purpose, goals, and if the citizens are paying a fee for this activity.
- Based on the information provided, the Director of the Division of Parks & Recreation will make a determination of the eligibility of a waiver.
- 5.9 All fees will be established by resolution of the BOCC. ~~Fees shall be increased annually on January 1st by lesser of inflation or 5%.~~

6. Cancellations

- 6.1 Cancellations must be made in writing and received by the Parks & Recreation Division at least seven days in advance of the use date in order to receive a refund. If notice is not received before the seven day period, the rental fee is forfeited. However security deposits and staff set up and take down fees will be refunded. The receipt must be presented for refund to be processed. The refund will be mailed in approximately four to six weeks. Refund checks will be made out to the entity whose name appears on the payment check and mailed to the address shown on the rental agreement.

7. General Rules and Regulations

- 7.1 Use of the facility is guaranteed for the period specified in the permit, use beyond that period is neither expressly nor implicitly granted. Event set-up and ~~clean-up~~ take down must be included in the rental period.
- 7.2 The minimum rental period for ~~the~~ a building or room use is ½ day (4 hours).
- 7.3 Building capacities are based on fire safety codes and are not to be exceeded for any reason.
- 7.4 Facilities are to be left in the same conditions as before use. Chairs, tables, and other furnishings are to be returned to their designated place. Floors are to be swept and cleaned if necessary and trash cans are to be emptied. All decorations, fasteners, and other items brought into the facility are to be removed and disposed of properly. Decorations that mar surfaces are not permitted.
- 7.5 Leon County signs, forms, and other materials are not to be removed or altered unless authorized by the division representative in charge.
- 7.6 The Leon County Parks & Recreation Division will not be responsible for providing or supervising any specialized equipment such as cooking equipment, storage, sound reproduction or amplification equipment, stages, platforms, special lighting equipment, film projecting apparatus, power extension cords, or any other specialized equipment. The division representative in charge may disallow the use of specialized equipment for safety reasons or to ensure division policy is followed. The number of tables and chairs provided are limited to the number on site and available. Any additional tables and chairs are the responsibility of the applicant.

- 7.7 The Leon County Parks & Recreation Division shall not be held responsible for loss or injury incurred in the use of the facility if said loss or injury is a result of circumstances beyond the control of Leon County or its officers or agents. It is incumbent upon the user to ensure that all normal safety practices are observed. Dangerous undertakings are strictly prohibited. All accidents or injuries must be reported to a division representative immediately.
- 7.8 ~~Use of the facility involving the sale of tickets, raffles, charges, amusement rides, inflatable amusements, contest for which tickets must be purchased, benefits and fundraising activities, dries, etc., must be approved in writing by the Parks & Recreation Division Director before the event.~~ It is not the purpose of the County to make the parks and recreation facilities available to any person, group of persons, or organizations for personal gain or private profit.
- 7.9 The division representative that may be present during the use period shall ensure the facility is open on time, clean and orderly, and the facility is used safely and properly. In no way is the division representative an employee or agent of the applicant.
- 7.10 Alcohol, fireworks, and weapons are is not permitted on Leon County Parks & Recreation Division managed property. Tobacco products are not permitted inside Parks & Recreation Division facilities. ~~Weapons are not permitted on County property.~~
- 7.11 Vending of any merchandise is not permitted without written permission from the Parks & Recreation Division Director.
- 7.12 ~~No fireworks are permitted.~~
- 7.13 No fires are allowed except in provided barbeque grills and pits.
- 7.14 Individual minors or groups of minors must be properly supervised by adults when using park facilities. Groups composed of minors, including teen events, must be supervised by one (1) adult for each fifteen (15) minors throughout the rental period.
- 7.15 Any person or group in violation of the established rules and regulations, established laws, or constituting a public nuisance, may be required to leave the facility and premises. In addition, the Parks & Recreation Division representative may cancel the rental and be deny any future rentals (see 9.6).
- 7.16 Applicants' reserved areas are those specifically designated in the permit. Other buildings, rooms, athletic fields ~~playfields~~, courts may

be scheduled by other participants or remain open to the general public. ~~Applicants are required to have the permit in their possession throughout the rental period.~~

- 7.17 Permits/reservations cannot be transferred, assigned, or sub-let to any other group or organization for any reason.
- 7.18 Animals, except service animals, are not allowed in Parks & Recreation Division buildings.
- 7.19 The applicant is responsible for all actions, behavior and damages caused by his/her guests/attendees.
- 7.20 Structures that require installation of poles, wires, wood supports, etc. must have prior approved by the Division Director or his representative.
- 7.21 It is recommended that picnic shelters ~~must~~ be occupied by the applicant or its designee by 11:00 am the day of the rental.
- 7.22 ~~Group activities that involve 50+ people attending or participating will require a permit form the Division of Parks & Recreation for use of any park or recreation facility or site. Such permit shall be submitted by the applicant no later than 90 days prior to the event.~~

8. Insurance

- 8.1 ~~Any event or rental that will have more than one hundred people participating in the event will have to have an original Certificate of Insurance providing proof of general liability and property damage insurance in an amount not less than \$1,000,000 per occurrence and listing Leon County as an additional insured during the term of the permit. The Parks & Recreation Director reserves the right to require this insurance certificate for any event if he determines it is in the best interest of Leon County. Such insurance documentation shall be provided prior to approval of the facility rental.~~
- 8.2 ~~Request for a waiver of general liability insurance for non-profit organizations must be made in writing at the time of the rental request.~~

~~Based on the information provided, the Director of the Division of Parks & Recreation will make a determination of the eligibility of a waiver.~~

9. Denial of Rental

The Parks & Recreation Division reserves the right to refuse use of facilities based on the following criteria:

- 9.1 The facility is not available for the requested date and time. This would include events that conflict with Parks & Recreation Division events, conflicts with County government or related business, or if the facility is already rented.
- 9.2 Uses deemed potentially damaging to the facility.
- 9.3 There are simultaneous non-compatible uses of adjacent facilities.
- 9.4 The proposed activity violates Federal, State, or Local Laws.
- 9.5 Potential noise or sound levels deemed to be disruptive and offensive to surrounding neighborhoods and to the comfort of guest or facility visitors.
- 9.6 Individuals or groups that have demonstrated in previous rentals with the Parks & Recreation Division or other entities not to be in the best interest of Leon County. This may include but not limited to, non-payment, improper use, damage, failure to adequately control participants or spectators, breach of contract, non-compliance of rules, or inaccurate information provided on the application.
- 9.7 Activities that, due to traffic or congestion, would cause access problems for scheduled events or the surrounding community.
- 9.8 Activities which are offensive to the accepted community standards.
- 9.9 Activities that is discriminatory in nature in matters such as sex, race, religion, creed, color, or national origin.
- 9.10 Activities which are incompatible with Leon County mission to provide for the health, safety, and welfare of the public.

10. Use of facilities by Leon County Board employees

- 10.1 Employees and employee organizations shall be permitted to use County facilities on the same basis, and subject to the same conditions that apply to the general public. However, such use shall

be limited to the extent that it does not conflict with the best interest of the county, and that the facility is not required for the use of the county, government, or other related businesses.

11. Request to use a Parks & Recreation Facilities Centers by Private Organizations on a regular basis

- 11.1 ~~The main Parks & Recreation office should verify the availability of the facility.~~ Upon request by a private organization, the Parks & Recreation Division will verify the availability of the facility.
- 11.2 The Parks & Recreation Division will provide the representative with a Licensing Agreement ~~Request Form~~. Upon completion of the form agreement, it should be submitted to the Parks & Recreation Director at 2280 Miccosukee Road, Tallahassee, FL 32308. A copy of the organization's 501 (c) (3) needs to be included in order for them to be tax exempt. ~~The All groups will~~ may be required to pay building rental fees.
- 11.3 Once approval or denial is given, a ~~letter and~~ licensing agreement or letter of denial is ~~are~~ sent to the organization with copies to the Community Center Supervisor, ~~the park's file and the Parks & Recreation Advisory Team.~~
- 11.4 If approval is given, the organization makes all arrangements with the Community Center Supervisor for use of the facility. A copy of the organization's Tax Exempt form needs to accompany each payment or be on file if taxes have been waived.
- 11.5 ~~Organizations are only authorized to use County facilities during Sunday morning hours. The County reserve the afternoons and evenings for family gatherings, community usage, etc. Special requests must be approved by the Parks & Recreation Division Director.~~
- 11.6 ~~An~~ A private organization is allowed to use the facility on a regular basis for 12 months with no more than two six-month extensions.
- 11.7 The Parks & Recreation Division reserves the right to deny the usage of a facility based ~~on staff recommendation~~ Section 9.
- 11.8 Organizations are not allowed to store equipment/items at the facilities.
- 11.9 Organizations are not allowed to decorate facility with their literature.
- 11.10 The Parks & Recreation Division reserves the right to cancel the agreement at any time due to non-payment, not complying with rules and regulations, or misuse of the facility.

December 5, 2005

**Board of County Commissioners
Leon County, Florida**

Policy No. 02 - 6

Title: County Community Service Facilities

Date Adopted: July 9, 2002

Effective Date: July 9, 2002

Reference: N/A

Policy Superseded: Policy No. 79-8, "County Community Service Facility," adopted September 25, 1979; Policy No. 92-10 amended 10/27/92; and Policy No. 94-3, amended April 26, 1994

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 94-3, amended April 26, 1994, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

1. Each and every County Community Service Facility, hereinafter referred to as "Center," shall be operated for the primary purpose of making the center available to civic, fraternal, governmental, religious, political and charitable groups and organizations. It is not the purpose of the County to make the center available to any person, group of persons, or organizations for personal gain or private profit. The net proceeds from any and all fees or assessments shall be used for some recognized community purpose or project or for the use and benefit of an organization recognized as carrying on worthy community projects.
2. The Board of County Commissioners of Leon County, Florida, shall establish a Board of Directors for each center and designate such Board as the County's Agent to be in charge of the operation of the center. The directors shall serve at the pleasure of the Board of County Commissioners; shall have only those duties and responsibilities set forth herein; and shall comply with the provisions of Board of County Commissioners Policy No. 93-48, "Volunteer Boards and Committees."
3. All requests for use of the center shall be directed to the Board of Directors, which Board shall make the center available on an equal basis to all persons, groups and organizations desiring use of the same, with no regard as to race, color, national origin, religion, sex, age or political affiliation, for the purposes set forth herein.

4. The Board of Directors shall establish operational rules and procedures which shall not be in conflict with any provision contained herein, or in conflict with any provision contained in Board of County Commissioners Policy No. 93-48, "Volunteer Boards and Committees," and which shall facilitate the purpose of the center.
5. The Board of Directors shall establish user fees which shall be sufficient to defray the cost of operation and maintenance of the center. The Board of Directors will be responsible for maintaining the Center in good functional order, clean and presentable.
6. The Board of Directors shall submit annual written "income and expenditure" reports to the Board of County Commissioners of Leon County, Florida, and shall expend any surplus over the cost of operation and maintenance only upon specific approval of the Board of County Commissioners.
7. Any user of the center shall not be allowed to carry on any activity, conduct any business, make any sales, nor allow any activity, business or sales requiring any license or permit unless such license or permit shall have first been obtained or secured.
8. The County shall not be liable for any injuries or damage, or claim therefor. Any user may provide such insurance at the user's own cost and expense.
9. The Board of Directors has the right to refuse rental to any person, group or organization at any time when such rental would be contrary to the public interest or inconsistent with use of said building for governmental, civic or community project purposes.
10. The Board of County Commissioners shall review and approve the rules and procedures established by the Board of Directors and any changes or amendments thereto. No rule or procedure shall be enforced unless it receives prior approval by the Board of County Commissioners of Leon County, Florida.
11. Prior to use of the center by any person, group or organization, an authorized representative of such user shall acknowledge receipt of a copy of the rules and procedures.
12. No center shall be used for any illegal activity. Violators of this provision shall be prosecuted and any person, group or organization convicted of utilizing any center for any illegal activity shall be prohibited from further use of any center.
13. Any modification, renovation, addition or deletion to the centers shall first be approved by the Director of Facilities Management.
14. A list of members of the Board of Directors and a copy of the rules and procedures shall be posted in each center.

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6.03

15. In the case of the Miccosukee Community Service facility, pursuant to the Deed of Conveyance to Leon County of July 1957, the Board of County Commissioners hereby acknowledges that the Home Demonstration Club of Miccosukee has the primary right to use the Center so long as that use does not conflict with the use of the Center for official County purposes.
16. The Board of County Commissioners of Leon County, Florida shall on a quarterly basis reimburse each Community Center 75% of their actual utility costs.